

Appln. No. 09/756,451
Response to Final Rejection dated September 30, 2003
Reply to Final Rejection of July 30, 2003

REMARKS

Regarding the Amendments

The amendment to Claim 1 is responsive to the rejection of Claim 1 under 35 USC § 112, second paragraph and merely corrects the claim to use terminology ("article") suggested by the Examiner and having proper antecedent basis. It is merely editorial in nature, neither adding any new matter nor raising any new issues.

Responsive to the Rejections

Claim 1 is rejected under 35 USC § 112 as being indefinite. It is believed that the amendment as suggested by the Examiner overcomes this rejection.

Claim 1 currently stands rejected under 35 USC § 103(a) on the basis of the pultrusion process taught in USP 3,993,726 to Moyer ("Moyer") in view of the continuous shaping process as taught in USP 5,266,021 to Jacobson ("Jacobson"). In rejecting the Claims the Examiner acknowledges that Moyer's pultrusion process produces only a continuous uniform rod or tube or other shape but maintains that it would be obvious to somehow add the teachings of Jacobson to provide continuous shaping in the Moyer pultrusion process.

As described in more detail in the application, the present invention provides a pultrusion process with in-line forming. As described in the specification and known to those practicing in this area, pultrusion, as the name implies, involves drawing or pulling long, continuous reinforcing fibers through the various unit operations. The Jacobson process, however, is completely different and not applicable to a pultrusion process. See Jacobson at col. 2, lines 49 through 52 where it is stated that the Jacobson process contemplates providing a continuous length or flow of a malleable or fluent material to a forming apparatus, which shapes the material and then stabilizes it to produce a desired shape. It is immediately apparent to the skilled practitioner that the continuous forming process of Jacobson operates on heat softened material that could not be tensioned or pulled in a pultrusion process without

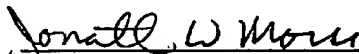
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immediately flattening whatever shaping had been done. There is no mention in Jacobson that it would apply in a continuous fiber pultrusion process.

In the section cited by the Examiner, for example, at col. 12, lines 47 through 53, and several other sections emphasize the fact that the shaped form has to be "supported" as it is transported to and from shaping. It is clear that at such a point the drawing force of a pultrusion process would tighten the material and destroy any shaping that had taken place. It is readily apparent that the teaching of Jacobson, although generally directed to molding and shaping of plastic articles, is read by one of ordinary skill in this area to be completely incompatible and not combinable with a pultrusion process as taught in Moyer and, thus, not suggesting in any fashion the further in-line shaping according to Applicants' claimed pultrusion process. It is, therefore, clear that all grounds for the rejection of Applicants' claims based on combination with Jacobson are improper and should be removed.

As discussed above, Applicants' claimed invention is not suggested or in any made obvious by the cited prior art. It is therefore courteously requested that a Notice of Allowance be promptly issued for these claims.

Respectfully submitted,


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